

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Numbering Resource Optimization

CC Docket No. 99-200

BELLSOUTH CORPORATION
EMERGENCY PETITION FOR PARTIAL STAY

BellSouth Corporation ("BellSouth"), pursuant to Section 1.43 of the Commission's rules,¹ respectfully requests an immediate stay of the effective date of the rule adopted in the above-captioned proceeding² that limits the time a telephone number may be held in reserve status to 45 days.³ As detailed more fully below, the Commission should stay the effective date of this requirement until it has had an opportunity to fully assess the impact on customers and develop a more complete record on the appropriate length of a reservation period.

The 45-day reservation rule – which becomes effective July 17, 2000 – will cause substantial and irreparable harm to customers. In fact, various government entities, businesses, and other organizations have explained in detail how this restrictive time interval will harm them.

¹ 47 C.F.R. § 1.43.

² *Numbering Resource Optimization*, CC Docket No. 99-200, *Report and Order and Further Notice of Proposed Rulemaking*, FCC 00-104 (rel. Mar. 31, 2000) ("NRO Order"). The *NRO Order* becomes effective July 17, 2000.

³ *NRO Order*, ¶ 23; to be codified at 47 C.F.R. § 52.15(f)(1)(vi).

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- (1) The State of Illinois, Department of Central Management Services explains:

We view that the Order, in its present form, will greatly harm our ability to cost-effectively deliver services to our 150,000 line constituency. We see our situation as common across the nation for any equivalent class of large business or government customers.

....

Loss of the ability to install additional "lines" in a pre-defined number range will severely hamper, if not prevent, our ability to further deploy service offerings using ISDN for switched video services.

....

Further, we see that our ability to deliver service in a timely manner will be seriously diminished. . . . We see the 45 day . . . rule[]. . . as being inappropriate for our applications. . . . Large projects with hundreds of phones will always take more than the 45 days allowed under your number "Reservation".⁴

- (2) The University of Texas MD Anderson Cancer Center states:

. . . A 45-day maximum would be detrimental to our ability to plan and implement communications, both in the short and long term

....

Without flexibility to reserve numbers, a logical numbering plan will be replaced with an incoherent and illogical numbering scheme that will be difficult to manage and confusing to our customers.

. . . The Numbering Resource Optimization will put an undue hardship on our operation and could affect our ability to serve patients.⁵

- (3) The State of Indiana, Department of Administration states:

. . . we see that our ability to deliver service in a timely manner will be seriously diminished. . . . We see the 45 day . . . rule[] as being

⁴ Letter from State of Illinois, Department of Central Management Services, to FCC, CC Docket No. 99-200 (no date).

⁵ Letter from Rick Bryant, Executive Manager, Telecommunications, University of Texas MD Anderson Cancer Center, to FCC, CC Docket No. 99-200 (dated May 19, 2000).

inappropriate for our use. . . . the 45 day rule will seriously impact a major installation that will most likely take longer than 45 days.⁶

(4) The Belton School District explains:

Without the ability to reserve telephone numbers over an extended period, we will not be able to have assurance that we have a dialing plan in our phased cutovers.

When we disconnect a Plexar station number, we can not be guaranteed the reuse of that number at a later time because upon disconnect these numbers would be available for other users. As a result, we may not be able to retain our 4 digit dialing plan and may not even be able to retain our NXX.

. . . .

If we cannot keep the numbers that were built into our Plexar for future use, my business will suffer a severe negative impact. We will lose our basis for our communications plan under Plexar, cause confusion for our users and our customers or patrons.⁷

(5) The Deputy Chief Information Office of Florida explains:

. . . Florida has 174 Centrex systems with over 170,000 lines that will be significantly impacted if a service provider's ability to reserve a specific NXX is limited to 45 days. As a large volume user providing Centrex services to state agencies, universities, local governments, school districts, and non-profit organizations through multiple service providers, this department relies heavily on being able to maintain a number block concept for the simplification and efficiency of our consolidated support systems. Processes, such as billing, inventory, trouble reporting and resolution, stand to be negatively affected if numbers are no longer reserved by the State for assignment within a logical sequence based on the state Centrex user.

. . . .

⁶ Letter from Thomas J. Gedig, State of Indiana, Department of Administration, to FCC, CC Docket No. 99-200 (no date).

⁷ Letter from Gary Crabtree, Belton School District #124, Director Finance/Support Services, to FCC, CC Docket No. 99-200 (no date).

. . . In essence, the discontinuation of reserved numbers for government Centrex systems will have a profoundly disruptive effect on state government efficiency and public service.⁸

As these letters convincingly demonstrate, subscribers will be adversely affected by the 45-day reservation period. To minimize this harm, BellSouth strongly urges the Commission to grant an immediate stay of the effective date of this rule until it has had an opportunity to fully assess the impact on customers. The Commission should not ignore the serious and irreversible implications of this new rule.

A stay will also allow the Commission time to reconsider the 45-day time limit and review additional comment on a more appropriate reservation period. BellSouth intends to file a petition for reconsideration requesting that the Commission increase the reservation period.⁹ BellSouth believes that the time period recommended by the North American Numbering Council (“NANC”) NRO Working Group – a one-year limit with a one-time extension of six months – is a more reasonable approach. Once the Commission better understands the needs of large-volume customers and how the 45-day rule will disrupt their operations and plans for future growth, there is a strong likelihood that the Commission will modify the 45-day rule.

Moreover, a stay will allow the Commission additional time to review NANC’s forthcoming recommendation regarding the imposition of fees for extensions of the reservation period. The Commission has directed the NANC to “determine whether a

⁸ Comments Via E-Mail, Letter from Charles Ghini, Deputy Chief Information Officer, State Technology Office, Florida Department Management Services, to FCC, CC Docket No. 99-200 (dated June 30, 2000).

⁹ Petitions for reconsideration are due July 17, 2000.

meaningful economic fee structure for *reserved numbers* could be developed”¹⁰ It makes little sense for the Commission to allow the 45-day rule to go into effect and subsequently adopt a rule permitting customers to pay to extend the reservation period. In the interim, many customers will have been harmed. Those customers willing to pay a fee to extend the reservation period will have been denied that opportunity. More importantly, numbers previously reserved on their behalf will likely have been reassigned to other customers.

Finally, no significant harm to third parties will result from granting the stay. Neither consumers nor competing carriers will be harmed because such action will merely preserve the *status quo* pending further Commission review. In fact, as demonstrated above, a stay will serve the public interest by protecting a large group of subscribers.

¹⁰ *NRO Order*, ¶ 25.

CONCLUSION


For all of the foregoing reasons, BellSouth respectfully requests an immediate stay of the effective date of the 45-day reservation requirement. Grant of the stay is warranted to avoid harm to a large segment of customers.

Respectfully submitted,

BELLSOUTH CORPORATION

Its Attorneys

By:


M. Robert Sutherland
Angela N. Brown
1155 Peachtree Street, N.E.
Suite 1700
Atlanta, GA 30309-3610
(404) 249-4839
(404) 249-3392

July 10, 2000

CERTIFICATE OF SERVICE

I do hereby certify that I have this 10th day of July, 2000, served the following parties to this ***BELLSOUTH EMERGENCY PETITION FOR PARTIAL STAY***, reference CC Docket No. 99-200, by hand delivery, or by placing a true and correct copy of the same in the United States Mail, postage prepaid, addressed to the parties as set forth on the attached service list.


Rachelle L. Thomas

****Via Hand Delivery***

Service List
CC Docket No. 99-200

Magalie Roman Salas, Commission Secretary*
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Suite TW-A325
Washington, DC 20554

International Transcription Service, Inc.*
1231 20th Street, NW
Washington, DC 20054

Jeanne Grimes*
Common Carrier Bureau
Federal Communications Commission
The Portals
445 12th St., SW
Washington, DC 20554

Lawrence E. Strickling, Chief*
Common Carrier Bureau
Federal Communications Commission
Suite 500H
445 12th Street, SW
Washington, DC 20554

Diane G. Harmon, Deputy Chief*
Common Carrier Bureau
Network Services Division
Federal Communications Commission
Suite 6-A207
445 12th Street, SW
Washington, DC 20554

L. Charles Keller, Chief*
Common Carrier Bureau
Network Services Division
Federal Communications Commission
Suite 6-A207
445 12th Street, SW
Washington, DC 20554

Yog R. Varma Deputy Chief *
Common Carrier Bureau
Federal Communications Commission
Suite 500H
445 12th Street, SW
Washington, DC 20554

Michael F. Altschul
Randall S. Coleman
Lolita D. Smith
Cellular Telecommunications Industry
Association
Suite 800
1250 Connecticut Avenue, NW
Washington, DC 20036

Peter Arth, Jr.
Lionel B. Wilson
Helen M. Mickiewicz
Attorneys for the Public Utilities Commission
State of California
505 Van Ness Ave
San Francisco, CA 94102

E. Barclay Jackson
New Hampshire Public Utilities Commission
8 Old Suncook Road
Concord, NH 03301

Maryland Office of People's Counsel
6 St. Paul St.
Suite 2102
Baltimore, MD 21202-6806

Gary Crabtree
Belton School District #124
Director Finance/Support Services
110 W. Walnut
Belton, MO 64012

Carol Ann Bischoff
Terry Monroe
Competitive Telecommunications Assoc.
1900 M Street NW
Ste. 800
Washington, DC 20036

Kathryn Marie Krause
Elridge A. Stafford
US West Communications, Inc.
1020 19th St., NW, Ste. 700
Washington, DC 20036

Michael A. Sullivan
15 Spencer Avenue
Somerville, MA 02144

Norman D. Cunningham
Assistant Superintendent, Support Services
Cypress-Fairbanks Independent School District
12510 Windfern Road
Houston, TX 77064-3108

Maine Public Advocate
State House Station 112
Augusta, ME 04333

Howard J. Symons
Sara F. Seidman
Amy L. Bushyeager
Counsel for AT&T Corp.
Mintz, Levin, Cohn, Ferris
Glovsky and Popeo, PC
701 Pennsylvania Ave, NW, Ste. 900
Washington, Dc 20004

Jay C. Keithley
Attorney for Sprint Corporation
401 9th Street, NW
Ste. 400
Washington, DC 20004

Sandra K. Williams
Attorney for Sprint Corporation
6360 Spring Parkway
Mailstop: KSOPHE0302-3D203
Overland Park, KS 66251

Jack A. Holzer
Communications Services Manager
Johnson County Sheriff's Office
125 North Cherry Street
Olathe, KS 66061

Lisa L. Karstetter
Programmer/Telecomm Analyst
City of Olathe, Kansas
P.O. Box 178
100 West Santa Fe Drive
Olathe, KS 66061

Emprise Bank
3900 W Central Ave
Wichita KS 67203-4987

R. Gregg Reep, Mayor
The City of Warren
P.O Box 352
Warren, Arkansas 71671

Florida Office of Public Counsel
c/o Florida Legislature
111 West Madison Street, #812
Tallahassee, FL 32399-1400

Indiana Office of Utility Consumer Counsel
100 N. Senate Avenue, Room N501
Indianapolis, IN 46204-2215

J. G. Harrington
Laura Roecklein
Counsel for Cox Communications Inc.
Dow, Lohnes & Albertson PLLC
1200 New Hampshire Ave, NW
Ste. 800
Washington, DC 20036

George N. Barclay
Michael J. Ettner
General Services Administration
1800 F Street, NW, Room 4002
Washington, DC 20405

Susan M. Eid
Richard A. Karre
MediaOneGroup, Inc.
1919 Pennsylvania Ave, NW, Ste. 610
Washington, DC 20006

John M. Goodman
Attorney for Bell Atlantic
1300 I Street, NW
Ste. 400 West
Washington, DC 20005

Jean Dols
Interim C.I.O.
Harris County Hospital District
P.O. Box 66769
Houston, Texas 77266

Lawrence G. Malone
Public Service Commission
of the State of New York
Three Empire State Plaza
Albany, NY 12223-1350

John W. Hunter
Lawrence E. Sarjeant
Linda L. Kent
Julie E. Rones
Keith Townsend
United States Telecom Association
1401 H Street, NW, Suite 600
Washington, DC 20005

M. Susan Savage, Mayor
Office of the Mayor
City of Tulsa
200 Civic Center
Tulsa, Oklahoma 74103

Jennifer Fagan
Office of Regulatory Affairs
Public Utility Commission of Texas
1701 N. Congress Ave.
Austin, TX 78711

David Cosson
John Kuykendall
Counsel for Rural Independent Competitive Alliance
Kraskin, Lesse & Cosson, LLP
2120 L Street, NW, Ste. 520
Washington, DC 20037

John F. Raposa
GTE Service Corporation
600 Hidden Ridge, HQE03J27
P.O. Box 152092
Irving, TX 75015

Louise M. Tucker
Telcordia Technologies, Inc.
2020 K Street, NW
Suite 400
Washington, DC 20006

Texas Office of Public Utility Counsel
1701 North Congress Ave., Ste. 9-180
P.O. Box 78701
Austin, TX 78701

James T. Hannon
Counsel for US West Communications, Inc.
Suite 700
1020 19th St., NW, Ste. 700
Washington, DC 20036

Joseph Assenzo
Sprint PCS
4900 Main Street, 11th Floor
Kansas City, Missouri 64112

Michael S. Slomin
Telcordia Technologies, Inc.
445 South Street, MCC-1J130R
Morristown, NJ 07960

Judith St. Ledger-Roty
Todd D. Daubert
Jennifer Kashatus
Counsel for Personal Communications Industry Assoc.
Kelley Drye & Warren LLP
1200 19th St., Ste. 500
Washington, DC 20036

Leon Kestenbaum
Counsel for Sprint
401 9th Street, NW, Suite 400
Washington, DC 20004

Sue Frank, Mayor
Raytown
10000 East 59th Street
Raytown, Missouri 64133

Henry G. Hultquist
Mary De Luca
Chuck Goldfarb
Mark T. Bryant
MCI WorldCom, Inc.
1801 Pennsylvania Ave, NW
Washington, DC 20006

John S. DiBene
Roger K. Toppins
Alfred G. Richter, Jr.
Attorneys for SBC Communications Inc.
1401 I Street, NW, Ste. 1100
Washington, DC 20005

James S. Blaszak
Counsel for Ad Hoc Telecommunications
Users Committee
Levine, Blaszak, Block & Boothsby LLP
2001 L Street, NW
Ste. 900
Washington, DC 20036

Mark C. Rosenblum
Roy E. Hoffinger
James H. Bolin, Jr.
AT&T Corporation
295 North Maple Ave
room 1130M1
Basking Ridge, NJ 07920

Jonathan M. Chambers
Vice President-Federal Regulatory Affairs
Sprint PCS
401 9th Street, NW, Suite 400
Washington, DC 20004

Marlene L. Johnson
Chairperson
District of Columbia
Public Service Commission
717 14th St., NW
Washington, DC 20005

Peggy Arvanitas
P.O. Box 8787
Seminole, FL 33705

James Bradford Ramsay
National Association of Regulatory
Utility Commissioners
1101 Vermont Avenue, NW
Suite 200
Washington, DC 20005

Teya M. Penniman
Attorneys for Oregon Public Utility Commission
Room 330
550 Capitol Street, NE
Salem, OR 97310-1380

Michael B. Adams, Jr.
Benjamin H. Dickens, Jr.
Attorneys for Midvale Telephone Exchange, Inc.
Northeast Louisiana Telephone Company, Inc.,
Interstate Telecommunications, Inc. Interstate
Telecommunications Cooperative, Inc. and Radio
Paging Service
Blooston, Mordkofsky, Jackson & Dickens
2120 L Street, NW
Washington, DC 20037

Jonathan M. Askin
Teresa K. Gaugler
Association for Local Telecommunication Services
888 17th St., NW, Ste. 900
Washington, DC 20006

Richard Askoff
Joe A. Douglas
National Exchange Carrier Association, Inc.
80 South Jefferson Road
Whippany, NJ 07981

Missouri Office of Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

Pennsylvania Office of Consumer Advocate
555 Walnut street
54th Floor, Forum Place
Harrisburg, PA 17101

Robert L. Hoggarth
Harold Salters
Personal Communications Industry Association
500 Montgomery St., Ste. 700
Alexandria, VA 22314-1561

Jonathan E. Canis
Todd D. Daubert
Counsel for 2nd Century Communications, LLP
Kelley, Drye & Warren LLP
1200 19th St., Ste. 50
Washington, DC 20036

Cynthia B. Miller
Bureau of Intergovernmental Liaison
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, FL 32399

Robert J. Aarnoth
Todd D. Daubert
Attorneys for Competitive Telecommunications
Association
Kelley, Drye & Warren LLP
1200 19th St., Ste. 500
Washington, DC 20036

Joel H. Cheskis
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101

John T. Scott, III
Vice President and Deputy General Counsel-
Regulatory Law
Verizon Wireless
1001 Pennsylvania Ave, NW
Washington, DC 20004

Andre J. Lachance
GTE Service Corporation
1850 M Street, NW
Washington, DC 20036

Robert Foosaner
Lawrence R. Krevor
Laura L. Holloway
James B. Goldstein
Nextel Communications, Inc.
2001 Edmund Halley Drive
Reston, VA 20191

**L. Marie Guillory
Daniel Mitchell
National Telephone Cooperative Assoc.
4121 Wilson Blvd., 10th Floor
Arlington, VA 22203**

Marc D. Poston
Missouri Public Service Commission
Room 750, 301 West High Street
Jefferson City, MO 65101

Elizabeth H. Liebschutz
State of New York Dept. of Public Service
Three Empire State Plaza
Albany, NY 12223

**The Office of People's Counsel
District of Columbia
1133-15th Street, NW
Suite 500
Washington, DC 20005**

Brian Thomas O'Connor
Robert A. Calaff
Voicestream Wireless Corporation
1300 Pennsylvania Ave,NW, Ste. 700
Washington, DC 20004

The Utility Reform Network
711 Van Ness Avenue, Suite 350
San Francisco, CA 94102

James U. Troup
Robert H. Jackson
Attorneys for Iowa Telecommunications Services, Inc
Arter & Hadden LLP
1801 K Street, NW, Ste. 400K
Washington, DC 20006-1301

Trina Bragdon, Esq.
Maine Public Utilities Commission
242 State Street
State House Station 18
Augusta, ME 04333

Deanne M. Brutts
Frank B. Wilmarth
Bohdan R. Pankiw
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105

James D. Mullins
Emergency Medical Services Authority
1417 North Lansing Avenue
Tulsa, OK 74106

Russell C. Merbeth
Daniel F. Gonos
Winstar Communications Inc.
1146 19th St., NW
Washington, DC 20036

Richard W. Rindler
Jeanne W. Stockman
Counsel for Allegiance Telecom, Inc.
Swidler Berlin Shereff Friedman, LLP
3000 K Street, NW, Suite 300
Washington, DC 20007

Douglas I. Brandon
AT&T Wireless Services, Inc.
1150 Connecticut Services, Inc.
Suite 400
Washington, DC 20036

Lawrence Ausubel, Co-President
Peter Cramton, Chairman
Paul Milgrom, Co-President
Counsel for Maine Public Utilities Commission
Spectrum Exchange Group, LLC
2920 Garfield Terrace, NW
Washington, DC 20008

Richard W. Rindler
Ronald W. Del Sesto, Jr., Esq.
Counsel for RCN Telecom Services, Inc.
Swidler Berlin Shereff Friedman, LLP
3000 K Street, NW, Suite 300
Washington, DC 20007

Cheryl A. Tritt
Frank W. Krogh
Counsel for NeuStar, Inc.
Morrison & Foerster LLP
2000 Pennsylvania Avenue, NW
Suite 5500
Washington, DC 20006-1888

Charles Ghini
Deputy Chief Information Officer
State Technology Office
Florida Department Management Services
4030 Esplanade Way, Suite 180
Tallahassee, FL 32399-0950

California Office of Ratepayer Advocates
505 Van Ness Ave., Room 4202
San Francisco, CA 94102

Brian Conboy
Thomas Jones
Counsel for Time Warner Telecom
Willkie Farr & Gallagher
Three Lafayette Center
1155 21st St., NW
Washington, DC 20036

Daniel Gonzalez
R. Gerard Salemm
Esther Northrup
Nextlink Communications Inc.
1730 Rhode Island Ave, NW
Ste. 1000
Washington, DC 20036

Daniel M. Waggoner
Robert S. Tanner
Dale Dixon
Davis Wright Tremaine LLP
1500 K Street
Washington, DC 20005